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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/624,718	07/25/2000	Shinichi Yoshimura	112857-062	6804

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EXAMINER
KAO, CHIH CHENG G

ART UNIT	PAPER NUMBER
2882	

DATE MAILED: 11/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/624,718	YOSHIMURA, SHINICHI	
	Examiner	Art Unit	
	Chih-Cheng Glen Kao	2882	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 September 2002* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 July 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kochi et al. (US patent 6166583) in view of Yoshida et al. (US Patent 6449378).

2. Regarding claims 1 and 6, Kochi et al. discloses an image processing apparatus and substantially similar method having an optical area in which a plurality of elements are disposed in a matrix (Fig. 19A), comprising: light reception means (Fig. 19A, #60); arithmetic operation means for arithmetically operating a signal obtained for each of said elements by the photoelectric conversion by said light reception means by a predetermined rule (Fig. 19A, #50); and outputting means for outputting a result of the arithmetic operation of said arithmetic operation means for each of said elements (Fig. 19A, output from #50).

However Kochi et al. does not disclose "timing adjustment means for adjusting a timing at which the result of the arithmetic operation is to be outputted for each of said plurality of elements from said outputting means in this embodiment" nor a plurality of arithmetic units for parallel processing.

Kochi et al. further teaches timing adjustment means for adjusting a timing at which the result of the arithmetic operation is to be outputted for each of said plurality of elements from said outputting means in this embodiment (Fig. 12, and col. 11, lines 9-12) in another embodiment. Yoshida et al. teaches a plurality of arithmetic units for parallel processing (col. 8, lines 1-7).

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to combine the timing adjustment with the image processing apparatus and method (col. 15, lines 28-29) of Kochi et al., since one would be motivated to prevent an improve operation speed as suggested by Kochi et al. (col. 2, lines 5-9 and 57-58).

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to have the plurality of arithmetic units of Yoshida et al. with the suggested apparatus and method of Kochi et al., since one would be motivated to use a plurality of units simultaneously to improve performance as shown by Yoshida et al. (col. 8, lines 1-7).

3. Regarding claims 2 and 7, Kochi et al. in view of Yoshida et al. suggests a method and apparatus as recited above.

However, Kochi et al. does not disclose wherein said arithmetic operation means and substantially similar step includes storage means for successively storing a plurality of signals at different timings obtained by the photoelectric conversion.

Kochi et al. further teaches storage means for successively storing a plurality of signals at different timings obtained by the photoelectric conversion (Fig. 19A, #43 and 45).

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to have wherein the arithmetic operation means and step includes the storage means of Kochi et al. with the suggested apparatus and method of Kochi et al. in view of Yoshida et al., since rearranging parts of an invention and forming in one piece a component which has formerly been formed in two elements and put together only involves only routine skill in the art. One would be motivated to rearrange and integrate the components to prevent or minimize an increase in circuit scale as suggested by Kochi et al. (col. 2, lines 5-9).

4. Regarding claims 3-5 and 8-10, Kochi et al. in view of Yoshida et al. suggests a method and apparatus as recited above.

However, Kochi et al. does not disclose wherein said arithmetic operation means and substantially similar step executes comparison arithmetic operation for a combination of a plurality of ones of the signals stored in said storage means, wherein the comparison arithmetic operation includes an arithmetic operation for determining a maximum value or a minimum value of the signal, wherein said outputting means and substantially similar step outputs results of the arithmetic operation for each of the rows or the columns of said elements at a timing adjusted by said timing adjustment means..

Kochi et al. further teaches means and a substantially similar step of executing comparison arithmetic operation for a combination of a plurality of ones of the signals stored in said storage means (col. 1, lines 39-42, Fig. 19A, #44 and 48, Fig. 18) and

wherein the comparison arithmetic operation includes an arithmetic operation for determining a maximum value or a minimum value of the signal (Fig. 18, #66),

wherein said outputting means and substantially similar step outputs results of the arithmetic operation for each of the rows or the columns of said elements at a timing adjusted by said timing adjustment means (Fig. 18, and col. 11, lines 10-13).

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to have wherein the arithmetic operation means and step includes the comparison arithmetic operation, determining a maximum or minimum value, and outputting means at a timing adjusted by said timing adjustment means of Kochi et al. with the suggested apparatus and method of Kochi et al. in view of Yoshida et al., since rearranging parts of an invention and forming in one piece a component which has formerly been formed in two elements and put together only involves only routine skill in the art. One would be motivated to rearrange and integrate the components to prevent or minimize an increase in circuit scale as suggested by Kochi et al. (col. 2, lines 5-9).

Response to Arguments

5. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Kochi et al. still applies as further explained above to the reference. An arithmetic operating unit is disclosed as exemplified in Fig. 19A, #50.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chih-Cheng Glen Kao whose telephone number is (703) 605-5298. The examiner can normally be reached on M - Th (8 am to 5 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (703) 305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

gk
November 18, 2002

ROBERT H. KIM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800